

Atty. Docket No. AGC01 P-300

CERTIFICATE OF MAILING

I hereby certify that this paper, together with all enclosures identified herein, are being deposited with the United States Postal Service as first class mail, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date indicated below.

04/02/04
Date

Catherine M. Updegraff
Catherine M. Updegraff

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 3637
Applicant : Glen R. George
Appln. No. : 10/725,219
Filing Date : December 1, 2003
Confirmation No. : 2131
For : WINDOW WELL

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.97(b)

Pursuant to 37 CFR §§1.56 and 1.97(b), Applicant brings to the attention of the Examiner the document listed on the attached Form PTO-1449. This Information Disclosure Statement is being filed more than three months after the filing date of the above-referenced application but, to the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed foreign patent documents and non-patent literature are attached. As the Office has waived the requirement under 37 CFR §1.98(a)(2)(i) for submitting a copy of each cited U.S. patent, copies of the listed U.S. patents are not included with the submission of attached Form PTO 1449. Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

English translations of the non-English documents are enclosed.

Pursuant to MPEP 609IIIA(3), in lieu of a statement of relevance, Applicant has enclosed an English language Abstract of the listed non-English reference.

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This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 16-2463.

Respectfully submitted,

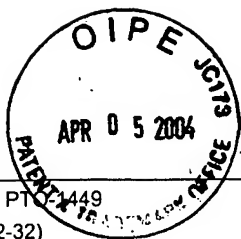
GLEN R. GEORGE

By: Price, Heneveld, Cooper,
DeWitt & Litton, LLP

4/2/04
Date

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FORM PTO-1449
(Rev. 2-32)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.
AGC01 P-300

SERIAL NO.
10/725,219

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT
(Use several sheets if necessary)

APPLICANT
Glen R. George

FILING DATE
December 1, 2003

GROUP
3637

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		D 4 7 2 9 7 8	04/08/2003	Oakley			
		D 4 6 6 2 2 1	11/26/2002	Oakley			
		6 4 8 4 4 5 5	11/26/2002	Poole			
		6 4 0 8 5 7 7	06/25/2002	Desjoyaux et al.			
		5 8 8 1 5 0 3	03/16/1999	Eichelberger			
		5 6 5 7 5 8 7	08/19/1997	Gefroh			
		5 1 0 7 6 4 0	04/28/1992	Gefroh et al.			
		4 8 7 6 8 3 3	10/31/1989	Gefroh et al.			
		4 7 0 4 8 2 8	11/10/1987	Kemp			
		4 3 3 0 5 0 0	05/18/1982	Mackes			
		4 2 2 6 0 6 2	10/07/1980	Doane			
		3 9 9 9 3 3 4	12/28/1976	Webb			
		3 9 6 9 8 6 6	07/20/1976	Kyne			
		3 8 4 8 3 7 8	11/19/1974	Witte			
		3 8 4 4 0 7 6	10/29/1974	Schöck			
		3 0 0 4 6 3 4	10/17/1961	Evans et al.			
		2 3 0 8 1 3 1	01/12/1943	Wellnitz			
		2 1 6 2 6 2 8	06/13/1939	Martin			
		1 9 1 6 2 0 2	07/04/1933	Bubien			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
		2 3 1 8 7 0 2	1974	Germany				x
		3 7 2 7 7 1 3	1989	Germany			x	
		5 6 1 8 3 1	1975	Switzerland			x	

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

	Exhibit A is a StormTech culvert that was offered for sale at least as early as Nov. 2002.
	Exhibit B is a brochure for MAR-FLEX® Window Well offered for sale at least as early as Jan. 2002.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

